

Poosa Ram.

Versus

State of Rajasthan
& ors.

S.B. Civil Writ Petition No. 1661/2007

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Date of Order: May 10, 2007

HON'BLE MR. JUSTICE H.R. PANWAR

Mr. N.L. Joshi, for the petitioner.

BY THE COURT:

By the instant writ petition under Article 226 of the Constitution of India, the petitioner seeks a direction to the respondents to give him regular pay scale from the date of his initial appointment i.e. 1-4-1998 with interest.

I have heard learned counsel for the petitioner at length.

By the order Annx.4, in compliance of the order of this Court dated 22-8-2005, passed in SBCWP N.5619/2005, the petitioner was reinstated in service and granted the regular pay scale of Rs.2550-55-2660-60-3200 with effect from 1-4-1998 and sanctioning the salary w.e.f. 31-5-1999. Thereafter it appears that the petitioner, remained absent without leave from 1-6-1999 to 3-3-2006 and vide order Annx.7 dated 12.12.2006,

it was made clear that after regularisation of the said period, i.e. with effect from 1-6-1999 to 3-3-2006 as leave without pay, the annual grade increments would be sanctionable. In my view, the petitioner is not entitled for any relief in view of the fact that from 1-6-1999 to 3-3-2006 the petitioner remained absent and for which period, the respondents have already sanctioned the leave without salary and thus he remained continuous in service. No further relief can be granted to the petitioner.

Consequently, the writ petition is dismissed. There shall be no order as to costs.

(H.R. PANWAR), J.

mcs